

COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Yoshiyuki AKAO et al.

U.S. Patent No.: 6,962,145 B2

Issue Date: November 8, 2005

Serial No.: 10/655,578

Filed: September 4, 2003

Title: FAILURE DETECTION
APPARATUS FOR AN
INTERNAL COMBUSTION
ENGINE

Attorney Docket No.: NAGA:003

Attention Certificate of Corrections Branch

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

Certificate of Mailing

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

DATE:

12/1/05

BY:

MARC A. ROSSI

**Certificate
DEC 07 2005
of Correction**

REQUEST FOR CERTIFICATE OF CORRECTION

Sir:

Applicants request that a Certificate of Correction be issued to correct two errors that appear in the above-referenced patent due to mistakes made on the part of the Office, namely, 1.) the Application Number should be **10/655,578** instead of 10/655,5784 as shown in section (21); and 2.) the Filing Date should be **September 4, 2003** and not June 4, 2004 as shown in Section (22.)

The facts regarding the Filing Date are as follows:

1. The application was filed on September 4, 2003 with the specification in Japanese. The return receipt postcard was received indicating the assigned Serial Number and the filing date of September 4, 2003. A copy of the postcard is attached.
2. A Notice of Missing Parts was finally mailed to the applicants on April 6, 2004, requesting the Declaration, an English translation of the Specification and a Statement of Accuracy regarding the translation. The Response to Missing Parts was filed in a timely manner on June 2, 2004, in which the Declaration, the English Translation with a Statement of Accuracy, as required in 37 CFR 1.52(d), and all fees required, including those set forth in 37 CFR 1.17(i), were submitted to

DEC 08 2005

the Office. A copy of the Response to Missing Parts (the Transmittal only) filed on June 2, 2004 is attached.

3. The updated Filing Receipt was mailed on July 15, 2004 and the Notice of Allowance was mailed on September 7, 2004. Both papers indicated the incorrect filing date of June 4, 2004.
4. On November 18, 2004, a Request for Corrected Notice of Allowance was filed to request the correction of the filing date to September 4, 2003. A copy of the Request is attached.
5. The Office mailed a Communication on September 23, 2005 indicating that the Office of Initial Patent Examination was to review the request. No official response was received as to the specifics of the filing date.
6. The Letters Patent issued on November 8, 2005 with the incorrect filing date. A telephone call to Steve Marcus of the Office of Patent Legal Administration was made on November 28, 2005. Mr. Marcus concurred that the applicants' response to the Missing Parts and the filing of the English Translation and Statement was proper and that the application should retain the original filing date of September 4, 2003. Mr. Marcus recommended the applicants file a certificate of correction to remedy this error by the Office.

It is the applicants' belief, as well as that of Mr. Steve Marcus of the Office of Patent Legal Administration, that the Office is in error and should correct the filing date to read September 4, 2003 on the Letters Patent. Applicants request that a Certificate of Correction be issued to show the correct **Application Number of 10/655,578** and the correct **Filing Date of September 4, 2003**.

However, in the event that it should be determined that the error is not the fault of the Office, the Commissioner is authorized to charge deposit account 18-2056 any fees associated with the issuance of the Certificate of Correction.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP



MARC A. ROSSI
REG. NO. 31,923

DATE

12/01/05

P.O. BOX 826
ASHBURN, VA 20146-0826
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DEC 08 2005

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,962,145 B2

APPLICATION NO.: 10/655,578

ISSUE DATE : November 8, 2005

INVENTOR(S) : Yoshiyuki AKAO et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

--In Section (21), the correct Application No. is 10/655,578.--

--In Section (22), the correct Filing Date of the Application is September 4, 2003.--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

ROSSI, KIMMS & McDOWELL LLP
P.O. BOX 826
ASHBURN, VA 20146-0826

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEC 08 2005



USPTO RECEIPT CARD In re application of:

Yoshiyuki AKAO et al.

Serial No.: NEW APPLICATION

Filed: September 4, 2003

For: FAILURE DETECTION APPARATUS FOR AN
INTERNAL COMBUSTION ENGINE

Papers Filed: NEW APPL.; SPECS. 29 PGS.; FIGS. 1-7; IDS

Attorney Docket: NAGA:003

3940 U.S. PTO

10/655578



09/04/03

Group Art Unit:

Examiner:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshiyuki AKAO et al.

Serial No.: 10/655,578

Filed: September 4, 2003



MAIL STOP: MISSING PARTS

Group Art Unit:

Examiner:

For: FAILURE DETECTION APPARATUS FOR AN INTERNAL COMBUSTION ENGINE

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Date: 6-2-04

By: LeAnn Eroo
LeAnn Eroo

RESPONSE TO MISSING PARTS

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Sir:

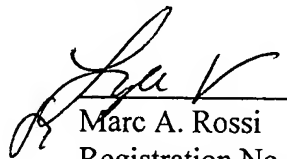
In response to the Notice of Missing Parts having a mailing date of April 6, 2004, applicants enclose herewith a copy of the signed Declaration. Also attached are an Assignment Transmittal Letter, an English translation of the application with a statement of accuracy and formal drawings.

The Commissioner is hereby authorized to charge the following fees in the amount of \$ 1,116.00 covering the required \$ 770.00 filing fee, \$ 130.00 for English translation surcharge, \$ 86.00 for one additional independent claim and the \$ 130.00 fee for the late filing of the declaration to deposit account 18-2056.

The commissioner is further authorized to charge deposit account 18-2056 (or credit any overpayment thereto) for any deficiency in fees required to maintain the pendency of this application.

Respectfully submitted,

June 2, 2004
Date

 Reg # 34,079
Marc A. Rossi
Registration No. 31,923

Attorney Docket: NAGA:003

ROSSI & ASSOCIATES
P. O. Box 826
Ashburn, VA 20146

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yoshiyuki AKAO et al.

Serial No.: 10/655,578

Filed: September 4, 2003



Group Art Unit: 3747

Examiner: Mohanty, B.

For: FAILURE DETECTION APPARATUS FOR AN INTERNAL COMBUSTION ENGINE

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Date: 11/18/04

By: [Signature]

Marc A. Rossi

REQUEST FOR CORRECTED NOTICE OF ALLOWANCE

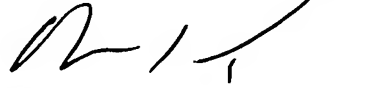
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

A corrected Notice of Allowance is hereby requested in view of an error which has occurred, specifically, the filing date is incorrect. Applicants filed the above-referenced application in the Japanese language on September 4, 2003 and were given that filing date. Subsequently, applicants filed a certified English translation of the application including the surcharge with the Response to Missing Parts dated June 2, 2004. The Patent Office issued another filing receipt and subsequently the Notice of Allowance both of which indicate the later filing date. After checking the rules, applicants maintain that the original date of filing should remain as the official filing date. Correction of the Notice of Allowance is respectfully

requested. For the convenience of the Patent and Trademark Office, attached is a photocopy of the Notice of Allowance on which the error has been noted in red.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Rossi', written over a horizontal line.

Marc A. Rossi
Registration No. 31,923

11/18/04
Date

Attorney Docket: NAGA:003

ROSSI & ASSOCIATES
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